

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
IN CLERK'S OFFICE

2006 JAN -9 P 2:59

UNITED STATES OF AMERICA)	
)	
)	
v.)	CRIMINAL NO. 05-30018-MAP
)	
RANDOLPH MILLS)	
)	
Defendant.)	

U.S. DISTRICT COURT
DISTRICT OF MASS.

THE GOVERNMENT'S MOTION FOR ORDER OF EXCLUDABLE DELAY
(Assented to)

The United States of America, by Michael J. Sullivan, United States Attorney for the District of Massachusetts, respectfully requests the Court to issue an order of excludable delay from October 25, 2005 through January 6, 2006. In support of its motion the government states as follows:

1. On August 25, 2005, the Court issued an order of excludable delay from August 23, 2005, through October 25, 2005.
2. Thereafter, status conferences were held on December 1, 2005, and on January 6, 2006. During both status conferences the parties informed the Court that additional time was necessary for the effective preparation of the case. Specifically, between October 25th and the first status conference held on December 1, 2005, counsel for the defendant reviewed the defendant's entire immigration file. Also, at the defendant's request, the government obtained a tape recording of Mr. Mill's deportation hearing held on August 11, 1998. The tape recording was

subsequently reviewed by counsel.

Thereafter, between December 1, 2005 and January 6, 2005, the government prepared a transcript of the defendant's change of plea hearing held on December 22, 1997, in Connecticut Superior Court. Preparation of the transcript was necessary to refute the defendant's suggestion that he had not been represented by counsel when he pled guilty to a narcotics offense. The government submits that the time utilized by the parties to review documents relating to the defendant's immigration and criminal history was necessary for the effective preparation of the case. In addition, the parties have been involved in active plea negotiations. These discussions have been fruitful and have not exceeded a reasonable period of time.

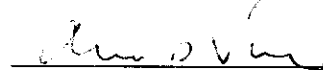
In sum, based on the need to obtain and review documents relating to the defendant's immigration and criminal history and the need to discuss a reasonable resolution of this case, the ends of justice served by excluding the time between October 25, 2005 and January 6, 2005, outweigh the best interest of the public and the defendant in a speedy trial.

WHEREFORE, the government respectfully requests that the Court issue an order excluding the time from October 25, 2005, to January 6, 2006, under the Speedy Trial Act, 18 U.S.C. §3161(h)(8)(A)(I) and (iv).

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By:



Ariane D. Vuono
Assistant U.S. Attorney

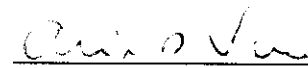
Dated: January 9, 2006

CERTIFICATE OF SERVICE

Hampden, ss.

Springfield, Massachusetts
January 9, 2006

I, Ariane D. Vuono, Assistant U.S. Attorney, do hereby certify that I have served a copy of the foregoing by mail on John S. Ferrara, Esq., 75 State Street, Suite 101, Springfield, MA 01103.



Ariane D. Vuono
Assistant U.S. Attorney